

ARTICLE APPEARED
ON PAGE A-1

NEW YORK TIMES
5 DECEMBER 1981

Reagan Widens Intelligence Role; Gives C.I.A. Domestic Spy Power

By JUDITH MILLER
Special to The New York Times

WASHINGTON, Dec. 4 — President Reagan issued an executive order today that broadens the authority of the nation's intelligence agencies to collect information from Americans at home and abroad. It authorizes the Central Intelligence Agency for the first time to conduct covert operations domestically.

However, the 17-page order omits most of the provisions of an earlier draft that were opposed by members of the

Text of order, pages 18-19.

House and Senate Intelligence committees and civil liberties groups, including a section that would have permitted the C.I.A. to infiltrate and influence American organizations without a court warrant.

The order signed today replaces an executive order signed by President Carter on Jan. 24, 1978 that is the basic framework for all intelligence activities. The new order, like its predecessor, has the force of law.

Heeding Campaign Promise

In a statement released by the White House, President Reagan said that the intelligence order and a companion order re-establishing a three-member panel to monitor intelligence activities were "consistent with my promise in the campaign to revitalize America's intelligence system." The executive order, he added, will help the nation "confront the increasing challenge of espionage and terrorism."

"To those of you who view this change of direction with suspicion," President Reagan stated, "let me assure you that while I occupy this office no intelligence agency of the United States, or any other agency for that matter, will be given the authority to violate the rights and liberties guaranteed to all Americans by our Constitution and laws."

The order received mixed reviews from members of the House and Senate panels on intelligence and from civil liberties organizations.

'Troubling' and 'Very Disturbing'

Representative Edward P. Boland, Democrat of Massachusetts who is chairman of the House Intelligence Committee, viewed as "troubling" a provision that permits the C.I.A. to col-

lect "significant" foreign intelligence secretly within the United States if the effort is not aimed at learning about the domestic activities of American citizens and corporations. President Carter's order restricted such collection to either commercial information or data about American residents and corporations believed to be acting on behalf of a foreign power.

Representative Don Edwards, Democrat of California and chairman of the House Judiciary Subcommittee on Civil and Constitutional Rights, described as "very disturbing" that provision in particular and, more broadly, the overall order.

The order, he said, creates a "secret police that can operate clandestinely abroad and domestically."

"Big Brother has returned," Mr. Edwards remarked.

Leaders of the Senate Select Committee on Intelligence disagreed.

Senator Barry Goldwater, Republican of Arizona and the chairman of the panel, who is recovering from a hip operation, praised the order, stating that it provided "adequate safeguards against improper intelligence operations within the United States while allowing the agencies to perform the functions that are needed to protect our national security."

Senator Daniel Patrick Moynihan, Democrat of New York and acting chairman of the panel, said that the order "makes it clear that the mission of the C.I.A. is abroad." He added that only a "very few" provisions of the order, "if misinterpreted or stretched beyond the legitimate intent of their authors, could pose some problems."

In addition to permitting the secret collection of significant foreign intelligence information within the United States the order gives the C.I.A. authority to conduct within the United States "special activities," or covert operations, approved by the President. Mr. Carter's order prohibited such actions domestically.

Such Actions 'Very Rare'

At a news conference today, a senior Administration official who declined to be identified, stressed that such actions would be "very rare."

The order defines covert actions, or special activities, as those "conducted in support of national foreign policy objectives abroad which are planned and executed so that the role of the United

States is not revealed to the House and Senate intelligence oversight panels. The official acknowledged that the panels had not during this Administration opposed any of "the very few" covert action cases it had reviewed, but he added that the monitoring sessions had not been "friendly-pat-on-the-back situations."

Physical Surveillance Abroad

The new order also permits physical surveillance of American citizens and corporations abroad in any counterintelligence investigation or in any investigation for significant foreign intelligence that cannot be obtained by other means. Mr. Carter had limited such surveillance abroad to Americans and United States groups suspected of being agents of a foreign power.

Three Administration officials discussed the new order with reporters today: Edwin Meese 3d, counselor to the President; Richard K. Willard, head of the Justice Department Office of Intelligence Policy and Review; and Adm. Bobby R. Inman, Deputy Director of Central Intelligence.

The senior Administration officials maintained that the executive order would not result in major changes in the C.I.A.'s role in the United States and that many of the provisions were "substantially the same" as those contained in Mr. Carter's order. The most significant change, the officials said, was in the order's "tone and approach" to the intelligence agencies' mission.

The order retains several restrictions contained in Mr. Carter's order. For example, the new order also bans assassinations by intelligence agencies.

The order accepted 15 of the 13 major changes proposed by the House and Senate panels on intelligence. Specifically, the Administration decided to delete provisions contained in an earlier draft that would have permitted the C.I.A. to infiltrate and influence American organizations without a court warrant.

It eliminated a provision that would have freed agency heads from being required to report possible Federal crimes by their employees. It deleted a draft